

## **BILL ANALYSIS**

S.B. 614  
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Criminal Jurisprudence  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

The Texas Forensic Science Commission (FSC) is charged with ensuring the integrity of forensic science in Texas. In 2015, the legislature enacted S.B. 1743, which authorized the FSC to refer cases to the office of capital and forensic writs for potential post-conviction relief where flawed or outdated forensic practices may have contributed to a conviction. The bill sponsor has informed the committee that, since 2020, when the office received legislative funding for this expanded mission, the FSC has referred over 70 cases involving questionable forensic methods—including bitemark analysis, firearms examination, DNA interpretation, and more. The bill sponsor has also informed the committee that the FSC can only refer a case to the office if it is the subject of an active investigation and that this limitation restricts the FSC's ability to refer meritorious complaints that do not require further investigation due to prior findings and its ability to maximize the use of public resources by avoiding duplicative investigations while still ensuring potential forensic issues are addressed. S.B. 614 seeks to address this issue by revising the authority of the FSC to review and refer certain cases to the office of capital and forensic writs.

### **CRIMINAL JUSTICE IMPACT**

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

S.B. 614 amends the Code of Criminal Procedure to authorize the Texas Forensic Science Commission (FSC) to review and refer to the office of capital and forensic writs, in accordance with applicable state law, cases that are dismissed by the FSC with an express referral to a previously published report that covers the same subject matter and is issued for one of the following FSC investigations:

- an investigation of an accredited crime laboratory pursuant to an allegation of professional negligence or professional misconduct involving an accredited field of forensic science;
- an investigation of a crime laboratory that is not accredited or the investigation involves a forensic examination or test not subject to accreditation; and
- an investigation of forensic analysis without receiving a complaint submitted through the professional negligence and misconduct reporting system following the FSC determination that the investigation of the analysis would advance the integrity and reliability of forensic science in Texas.

**EFFECTIVE DATE**

September 1, 2025.